

In re: Maurer et al.
Application Serial No.: 10/767,352
Filed: January 30, 2004
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REMARKS

Responsive to the election requirement dated June 28, 2007 as set forth on page 2 of the Office Action, Applicant hereby elects the methods of treating a hyperproliferative disorder, and Applicant further elects a geriatric subject. Applicants note that the Office Action asserts on page 2 that "the method of using the composition involves administration by gastric, jejunal, nasogastric or nasal-jejunal feeding tube" as recited in Claim 21. However, Applicants further note that the feeding step can be carried out by directly orally feeding said composition to said subject as recited in Claim 16.

Claims 2-9, 13 and 15-22 are readable on the elected species. This election is without traverse on the understanding that, upon the finding of an allowable species, examination will continue with the non-elected species of compositions until all species have been examined or a non-allowable species is found.

It is respectfully submitted that the present application is now in condition for substantive examination on the merits, which action is respectfully requested.

Respectfully submitted,



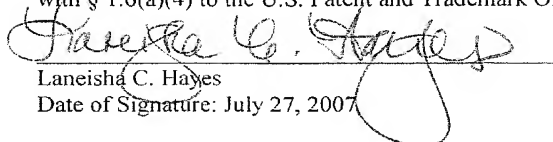
Shawna Cannon Lemon
Registration No. 53,888

USPTO Customer No. 20792

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428, Raleigh, NC 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 27, 2007.



Laneisha C. Hayes
Date of Signature: July 27, 2007